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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO.	9/909,238
APPLICANT	GERD HOBOM ET AL.
FILED	July 19, 2001
EXAMINER	TO BE ASSIGNED
ART UNIT	1614
FOR	RECOMBINANT INFLUENZA VIRUSES WITH BICISTRONIC vRNAs CODING FOR TWO GENES IN TANDEM ARRANGEMENT

Commissioner of Patents
PO BOX 1450
Alexandria, VA 22313-1450

14 May 2004

RESPONSE TO ORAL REQUEST FOR DISKETTE OF SEQUENCE LISTING

Sir:

This communication is in response to the telephone request of Marian Hines to send a new CRF.

In addition to the submissions filed herewith, entry of any amendments and consideration of any remarks is respectfully solicited.

IN THE SPECIFICATION

☐ In the above-referenced application, please add the sequence listing filed herewith to the specification.

☒ In the above-referenced application, please substitute the sequence listing filed herewith for the current sequence listing of record in the specification.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

ITEMS BEING SUBMITTED

The checked boxes indicate the items enclosed herewith:

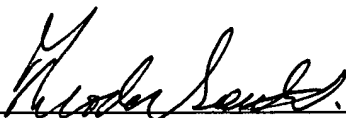
- ☒ A paper copy of the sequence listing for the nucleotide and/or amino acid sequence(s) in this application, wherein each "Sequence Listing" is assigned a separate identifier as required in 37 CFR 1.821(c) and 37 CFR 1.822 and 1.823.
- ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 CFR 1.821(d).
- ☒ A copy of each sequence listing submitted for this application in computer readable form, in accordance with the requirements of 37 1.821(e) and 1.824.
- ☒ A statement under 37 CFR 1.821(g) that the content of each paper copy of the sequence listing submitted and each computer readable copy are the same.
- ☒ A statement under 37 CFR 1.821(g) that the submission includes no new matter.
- ☐ A copy of the NOTICE TO COMPLY...SEQUENCE DISCLOSURES.
- ☐ Other (provide description of items submitted)

STATEMENT PURSUANT TO 37 CFR § 1.821(f)

I hereby state that each computer readable form submitted in this application, is the same as the corresponding paper copy of the "Sequence Listing." All papers accompanying this submission, or for which a request for transfer from applicant's other application, introduce no new matter.

Respectfully Submitted,

Norris, McLaughlin & Marcus
220 East 42 nd Street
New York, NY 10017
Telephone (212) 808-0700
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Theodore Gottlieb, PhD
Reg. No. 42, 597

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 14-MAY-2004 .
(Date)

Agata Glinska
Typed or printed name of transmittor

Signature Agata Glinska